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HUMAN RIGHTS COMMITTEE
Sixty-fourth session
19 October - 6 November 1998

DECISION

The Human Rights Committee,

Meeting on 4 November 1998,

Acting under the International Covenant on Civil and Political Rights and its Optional Protocol,

Referring to the cases of Gilbert Samuth Kandu-Bo, Khemalai Idrissa, Tamba Gborie, Alfred Abu Sankoh, Hassan Karim Conteh, Daniel Kobina Anderson, John Amadu Sonica Conteh, Abu Bakarr Kamara, Abdul Karim Sesay, Kula Samba, Victor L. King, and Jim Kelly Jalloh, whose communications were submitted to the Human Rights Committee under the Optional Protocol on 13 and 14 October 1998,

Recalling that the Committee's Special Rapporteur for New Communications requested the Government of Sierra Leone on 13 and 14 October 1998, under rule 86 of the Committee's rules of procedure, to stay the execution of the above mentioned persons while their communication was under consideration by the Committee,

Deeply disturbed by the information that Gilbert Samuth Kandu-Bo, Khemalai Idrissa, Tamba Gborie, Alfred Abu Sankoh, Hassan Karim Conteh, Daniel Kobina Anderson, John Amadu Sonica Conteh, Abu Bakarr Kamara, Abdul Karim Sesay, Kula Samba, Victor L. King, and Jim Kelly Jalloh were executed by firing squad outside Freetown on 19 October 1998,

Recalling that on 23 October 1998, an urgent request to provide clarifications, by 29 October 1998, about the circumstances surrounding the executions of the above named persons, was sent to the State party both through its Permanent Mission in New York and the Office of the Secretary General's Special Representative in Freetown,

Noting that no information has been received from the State party,

1. Expresses its indignation at the failure of the State party's authorities to comply with the Committee's request for interim measures of protection pursuant to rule 86 of the Committee's rules of procedure; the attitude displayed by the State party is all the more regrettable as it concerned cases involving capital punishment of which the Committee was properly seized and was competent to examine, and as it occurred in the context of the consideration of the first cases submitted to the Committee since the Optional Protocol entered into force for Sierra Leone on 23 November 1996;

2. Recalls that the State party, upon ratifying the Optional Protocol, undertook to cooperate with the Committee under the procedure, and emphasizes that the State party has failed to comply with its obligations, both under the Optional Protocol and under the Covenant;

3. Deplores the State party's failure to make available, as requested by the Committee, specific clarifications of the circumstances surrounding the executions;

4. Decides to continue the consideration of the above mentioned communications under the Optional Protocol;

5. Strongly urges the State party to ensure, by all means at its disposal, that situations similar to those surrounding the executions of the above mentioned persons do not recur; in particular, the Committee urges compliance with its rule 86 requests in other cases of a similar nature of which the Committee is seized;

6. Urges the State party to present without delay its initial report under article 40 of the Covenant, which was due on 22 November 1997, for discussion by the Committee at its 65th session in March/April 1999 and, in any event, to submit by 15 February 1999 a report, in summary form if necessary, relating in particular to the application at the present time of articles 6, 7 and 14 of the Covenant;

7. Requests the Secretary-General to bring this decision to the attention to the Government of Sierra Leone.